

**ATTACHMENTS FOR EASE OF REFERENCE:**

**Plaintiff's Exhibit 16, pp. 1, 34 and 35**

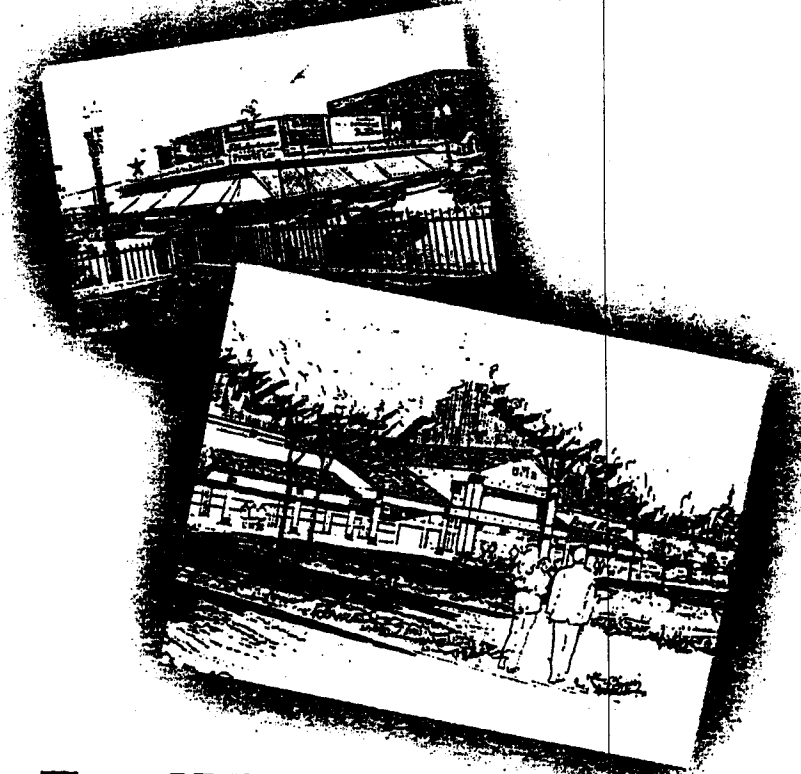
**Ex F to Dickens Decl (7/31/06)**

*"Always strive to offer Customers the service, selection, quality and price that satisfies them, for by doing that we will serve our Customers well and continue to prosper and grow."*

*-Fred G. Meyer*



# Employee Handbook



**Fred Meyer**

MJ Exhibit 16

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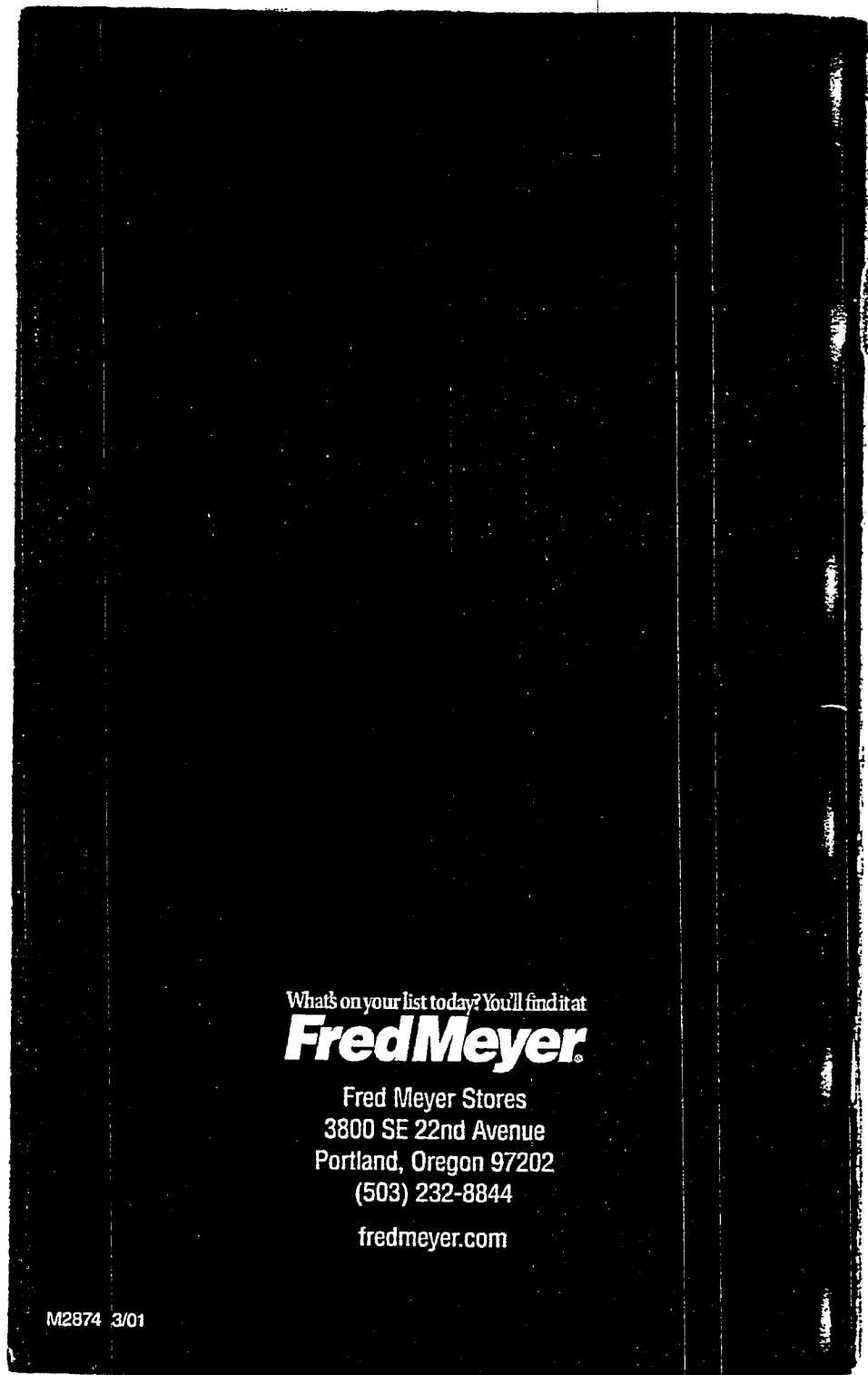
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The policies stated in this handbook are intended as guidelines only and are subject to change at the sole discretion of the Company. This handbook should not be construed as and does not constitute a contract, expressed or implied, guaranteeing employment for any specific duration. Although we hope your employment relationship with us is long term, either you or the Company may terminate this relationship at any time, for any reason, with or without cause or notice. Please understand that no supervisor or representative of Fred Meyer has the authority to enter into any agreement with you for employment for any specified period of time or to make any promises or commitments contrary to the foregoing.

In the event of any conflict between the provisions contained in any applicable collective bargaining agreement, the collective bargaining agreement shall govern in all cases with respect to employees covered by such agreement.

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What's on your list today? You'll find it at

**Fred Meyer**

Fred Meyer Stores  
3800 SE 22nd Avenue  
Portland, Oregon 97202  
(503) 232-8844

[fredmeyer.com](http://fredmeyer.com)

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## FRED MEYER EMPLOYEE RESPONSIBILITIES

The majority of the firm's employees are successful in their jobs. They realize that following company policies and procedures are essential to their own best interest and to the success of the firm. In fairness to all concerned, you need to know and understand the principal reasons for the action outlined below:

### I Employee Conduct Which Will Result In Immediate Termination Without Prior Warning:

1. Dishonesty of any kind—ON OR OFF THE JOB. Some examples:
  - a. Unauthorized conversion to personal use or removal of company money, merchandise, or other property from company premises; committed alone or in conjunction with another person(s).
  - b. Giving or receiving unauthorized credit or price discounts on merchandise sold or purchased in our stores. Unauthorized price discounts would include "AD" prices when such are NOT available to the public.
  - c. "Grazing" or consuming merchandise without prior payment. This also includes distressed and salvage merchandise regardless of condition.
  - d. Placing unpaid for merchandise in pocketbooks, pockets, or any other place of possible concealment.
  - e. Falsification of company records—this includes time cards and time sheets.
  - f. Making or accepting any unauthorized long distance telephone calls.
2. Failure to Record Sales on the Cash Register. Clarification:
  - a. All customers' purchases must be recorded on the cash register at the correct selling price. Individual customer sales must be recorded as separate transactions. Do not combine or "bunch" sales.
  - b. If a customer leaves the correct amount of money for his/her purchase while you are waiting on another customer, you are to record the departed customer's money (purchase) immediately after completing transaction of present customer.
  - c. Each customer is to be offered a cash register or change receipt for the exact amount of his/her purchase.
3. Reporting for work under the influence of alcoholic beverages or unlawful narcotics or drugs; or consuming or possessing alcoholic beverages or unlawful narcotics or drugs during your work shift or on company premises.
4. Negligence in handling of cash and/or negotiable instruments which results in a loss to the company.
5. Deliberate destruction of company or employee's property; or any reckless act which results in a loss to the company or injury to an employee or customer.
6. Insubordination, such as willfully disobeying the instructions of an authorized person-in-charge, or disrespectful conduct toward a supervisor or person-in-charge.
7. Gross discourtesy to a customer.
8. Conviction of a crime directly or indirectly related to the company; its employees, or its property, or one which affects the employee's ability to perform his or her duty.
9. Ringing up your own or your immediate family's purchases. Processing your own or your immediate family's check(s), any negotiable instrument(s) (or any transaction involving a purchase, refund or layaway). Immediate family also includes non-relatives living in the same household.
10. Failure to sign the Sales Data Card and failure to record your employee identification number on registers where I.D. is required.
11. Other employment-related misconduct which is determined by the company to be of an equally serious nature.

### II Employee Conduct Which Will Result In Disciplinary Action But Which Usually Results In Termination After Prior Warning:

1. Failure to perform work as required.
2. Customer complaints.
3. Failure to comply with written company policies and procedures. Some examples:
  - a. Working "free time" or working overtime without specific approval of the person-in-charge.
  - b. Violation of company safety policies and procedures.
4. Any conduct which otherwise interferes with or obstructs the normal operation of business. Some examples:
  - a. Excessive tardiness or absenteeism.
  - b. Giving out of confidential business information.
  - c. Upon notice from the company, failure of an employee to immediately make good a bad check(s) or charge(s) drawn on the employee's account.
5. Negligence in handling cash and/or negotiable instruments even though such negligence does not result in a loss.

### III The Following Conduct Is Regarded And Accepted As An Employee's Voluntary Resignation (Quit) Of His/Her Employment:

1. Walking off of the job.
2. Refusal to work a scheduled shift.
3. Failure to personally notify the P.I.C. of an absence prior to the scheduled work shift. (First incident—3 day suspension)
4. Failure to return to work from an approved leave of absence as scheduled.
5. Failure to return to work when called back from lay-off.

#### EMPLOYEE ACKNOWLEDGEMENT

I acknowledge that I have read and understand the above principal causes for discharge, disciplinary action and resignation. I have clarified any questions with my immediate supervisor, Trainer or the Personnel Department and understand this summary does not constitute an employment contract.

Employee Myrna Johnson Date 8/1/97  
 PLEASE PRINT NAME  
 Signature Myrna Johnson  
 Location JN/ALB Department ALE  
 M-1398 12/88 Distribution: WHITE ORIGINAL—Personnel; CANARY COPY—Store/plant File; PINK COPY—Employee  
 Exhibit 4 Date 1/23/06  
 Witness Myrna Johnson Ex. F.P.I.  
Lynda Batchelor Barker, RDR 200023  
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